

Application No. 09/672,852
Reply to Office Action of June 10, 2005

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 19-44 and 83-88 are presently active in this case. The present Amendment amends Claims 19, 23, 27, 32, 36 and 40 without introducing any new matter and cancels Claims 1-18, 45-82.

Claims 27, 29, 30, 31, 40, 42, 43 and 44 were rejected under 35 U.S.C. §103(a) as unpatentable over Lobiondo in view of Satake et al. (U.S. Patent No. 6,078,759 herein "Satake") and Imamura (U.S. Patent No. 5,963,717). Claims 19, 22, 23, 26, 32, 35, 36 and 39 were rejected under 35 U.S.C. §103(a) as unpatentable over Lobiondo in view of Salgado (U.S. Patent No. 5,970,224) and Imamura. Claims 21, 25, 34 and 38 were rejected under 35 U.S.C. §103(a) as unpatentable over Lobiondo in view of Salgado and Imamura in further view of Satake. Claims 20, 24, 33 and 37 were rejected under 35 U.S.C. §103(a) as unpatentable over Lobiondo in view of Salgado and Imamura in further view of Sugishima (U.S. Patent No. 4,797,706). Claims 28 and 41 were rejected under 35 U.S.C. §103(a) as unpatentable over Lobiondo in view of Satake and Imamura in further view of Sugishima.

Claims 79-80 were indicated as allowable if rewritten in independent form. Applicants acknowledge with appreciation the indication of allowable subject matter.

In response, independent Claims 19, 23, 27, 32, 36 and 40 are amended to recite the features of allowable, dependent Claim 79. Further, new Claims 83-88 are presented. The new claims recite all the features of independent Claims 19, 23, 27, 32, 36 and 40, respectively, and additionally recite the features of allowable dependent Claim 80. Consequently, Claims 79-80 are cancelled.

In response to the Restriction Requirement being made final, Claims 1-18, 45-78 and 81-82, directed to non-elected inventions, are cancelled. Applicants reserve the right to

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present claims directed to the non-elected inventions in a divisional application, which shall be subject to the third sentence of 35 U.S.C. §121.¹

The present Amendment is submitted in accordance with the provisions of 37 C.F.R. §1.116, which after Final Rejection permits entry of amendments canceling rejected claims or complying with requirements of form set forth in a previous Office Action. As the present Amendment merely cancels Claims 1-18, 45-78 and 80-82; amends the independent claims to recite the features of allowable dependent Claim 79, and recites new Claims 83-88 reciting all the features of independent Claims 19, 23, 27, 32, 36 and 40, respectively, and all the features of allowable Claim 80, it is therefore respectfully requested that 37 C.F.R. §1.116 be liberally construed, and that the present Amendment be entered.

Consequently, in view of the present Amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 19-44 and 83-88 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

Respectfully submitted,

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¹ "A patent issuing on an application with respect to which a requirement for restriction under this section has been made ... shall not be used as a reference ... against a divisional application." See also MPEP 804.01.